

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN SCOTT TA,

Defendant.

CASE NO. CR18-0194-JCC

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue the trial date and pretrial motions deadline (Dkt. No. 26). Defendant has filed a speedy trial waiver up to April 8, 2019. (Dkt. No. 27.) Having considered Defendant's motion and speedy trial waiver, the Court FINDS:

1. Taking into account the exercise of due diligence, a failure to grant a continuance would deny defense counsel reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

2. Aspects of this case are unusual and complex due to the charged and uncharged conduct, such that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by this section, as set forth in 18 U.S.C. § 3161(h)(7)(B)(ii);

1 3. Failure to grant a continuance would likely result in a miscarriage of justice, as set
2 forth in 18 U.S.C. § 3161(h)(7)(B)(i);

3 4. The additional time requested is a reasonable period of delay, as Defendant has
4 requested more time to prepare for trial, investigate the matter, gather evidence material to the
5 defense, and consider possible defenses;

6 5. The ends of justice will be served by a continuance, and the ends of justice
7 outweigh the best interests of the public and Defendant in any speedier trial, as set forth in 18
8 U.S.C. § 3161(h)(7)(A); and

9 6. The additional time requested between the current trial date of February 4, 2019
10 and April 1, 2019 is necessary to provide defense counsel reasonable time to prepare for trial,
11 considering counsel's schedule and all of the facts set forth above.

12 For the foregoing reasons, Defendant's motion to continue trial (Dkt. No. 26) is
13 GRANTED. It is therefore ORDERED that the trial date be CONTINUED from February 4,
14 2019 to April 1, 2019 at 9:30 a.m., and that the time between the date of this order and the new
15 trial date is excludable time under the Speedy Trial Act, pursuant to 18 U.S.C. §§ 3161(h)(7)(A),
16 3161(h)(7)(B)(ii), and 3161(h)(7)(B)(iv). Any pretrial motions shall be filed no later than
17 February 26, 2019.

18 DATED this 14th day of January 2019.

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22 John C. Coughenour
23 UNITED STATES DISTRICT JUDGE
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